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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/826,408

04/19/2004

Eiji Kodo

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04/07/2005

WENDEROTH, LIND & PONACK, L.L.P.
2033 K STREET N. W.
SUITE 800
WASHINGTON, DC 20006-1021

EXAMINER

LEE, KYUNG S

ART UNIT

PAPER NUMBER

2832

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary	Application No. 10/826,408	Applicant(s) KODO ET AL.	
	Examiner Richard K. Lee	Art Unit 2832	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claim 1-3, 5, 8-11 and 16 are rejected under 35

U.S.C. 102(b) as being anticipated by Saito (US Pat. 4,926,011).

Saito teaches a switch device comprising:

an operating member 16 (fig. 1) having a cam member 48
provided with a protruding portion 48c;

a plurality of switches 30 engage the cam member and output
electrical ON/OFF status based on the operation of the operating
member; and

a detecting section (switch connected to a game machine,
please see col. 1, line 12) connected to the plurality of
switches for detecting the positions of operating of the
operation member.

Regarding claims 2-3 and 10-11, the member 16 is rotatable,
therefore movable. Please see the abstract.

Regarding claims 5 and 13, the knob is 22 and the coupling
member is portion connecting the knob and the operating member
16.

Regarding claims 8 and 16, please see fig. 1.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 4 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito in view of Duve et al. (US Pat. 5,510,585).

Saito teaches the claimed invention except for the cam member having a plurality of protruding portions.

Duve et al. teaches a switch device having a cam member 92 (and 94) having a plurality of protruding portions (please fig. 1) for the purpose of operating individual program switches for controlling various functions of an appliance (col. 1, lines 10-15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the cam member of Saito with plurality of protruding portions as taught by Duve et al., since the protruding portions of Duve et al. would provide

the cam operated switch device of Saito with an ability to operate various functions of a device.

4. Claims 6 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito in view of Koseki et al. (US Pat. 6,670,567).

Saito disclosed the claimed invention except for a knob having the cam member on a lower surface operating the cam member.

Koseki et al. teaches a switch device having a cam member 12 (fig. 5) having protrusions on a lower surface, for controlling a switch, for the purpose of reducing the diameter of the cam.

It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the cam member of Saito with the protruding portions on a lower surface of the cam as taught by Koseki et al., since the lower surfaced protruding portions of Koseki et al. would provide the switch with a reduced diameter.

5. Claims 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito in view of Wermelinger (4,405,842).

Saito teaches a claimed invention except for the knob having a cam section on an inner surface for operating the cam section.

Wermelinger teaches a switch device having a knob 35 with the cam section 37 on an inner surface. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the switch device of Saito with inner cam section as taught by Wermelinger, since the inner cam section of Wermelinger would seal in the cam device and the switch within.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard K. Lee whose telephone number is (571) 272-1994. The examiner can normally be reached on M-W & F 5:30 AM to 4:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin G. Enad can be reached on (571) 272-1990. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Richard K. Lee
Primary Examiner
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